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DEPARTMENT OF EDUCATION "POINT OF CONTACT" **FEBRUARY 2007 NEWSLETTER**

New School Bus Rules for South Dakota

At a State Board of Education public hearing in Pierre on January 22, 2007 there were four issues brought up dealing with school bus rule changes.

The first item was to adopt certain pages from the 2005 National Standards Congress to update our current rules. The new rules passed with little discussion.

The second item was to require a CDL license for anyone driving a vehicle meeting the definition of a school bus as defined by SDCL 32-32-1. After much discussion the board voted to table this issue.

The third item was to eliminate a yellow bus from towing a trailer with students on board. After some discussion the proposed rule was amended to read that a yellow bus may pull a trailer with students on board as long as the bus has additional emergency exits other than a rear emergency exit.

The fourth item was to require all school bus operations in South Dakota to follow the Federal guidelines concerning school bus drivers Hours of Service. The board discussed in length the fact that if you are a private company under contract to a school district, the Contract Company must already follow these rules, but school districts are currently exempt. Examples were given of where school districts are using teachers, coaches and drivers beyond these rules. After very much discussion the board voted to table this issue also.

The tabled items will remain tabled unless they are brought back to the Board of Education to be discussed at their next meeting in March. If you have an opinion on these two tabled issues one way or the other I would be very interested in hearing from you.

Several States Consider Seat Belt Laws

In the wake of renewed interest in school bus seat belts, some state legislatures have already filed bills in their 2007 session.

Missouri has been studying the issue for at least a year, and is considering a bill that would require lap/shoulder belts on all new buses on and after January 1, 2008. The bill creates a School Bus Safety Assistance Fund that would provide grants to districts that have insufficient funds to purchase the belt-equipped buses. The seat belt fund would be funded through a \$15 surcharge on traffic violations.

Texas has two distinct bills: one would require all new buses purchased on and after September 1, 2007, to have lap/shoulder belts; and the other would require new buses purchased on and after September 1, 2008 and all buses as of September 1, 2017 to have lap/shoulder belts. Included in the requirement are activity, charter, and transit buses under contract to school districts.

Wyoming is considering a bill that would require the use of safety belts on all school buses for children under the age of twelve. The bill language does not specify what kind of belts, but a fiscal note accompanying the bill assumes that all 1,217 current buses in the state would be equipped with lap belts, and that all new buses would be equipped with lap/shoulder belts. The total cost is estimated to be \$11.76 million in the first year, and \$2.86 million in subsequent years. The estimate for subsequent years includes the cost of 17% more buses and drivers.

Mississippi is bucking the trend with a bill that directs the State Board of Education to adopt regulations setting standards for occupant protection. It dictates that crash protection for large buses will be accomplished through

compartmentalization, and small buses will have either lap belts or lap/shoulder belts. All buses transporting physically handicapped students will have seat belts (though it doesn't specify which kind).

New York, meantime, is once again considering requiring the use of the lap belts on their buses.

Fuel Prices Forecast to Drop This Year

The U. S. Department of Energy reports that diesel fuel prices are expected to decrease by almost two percent this year, going from an average \$2.71/gal in 2006 to a predicted average \$2.63 for 2007. This follows two years of hefty increases—33% from 2004-2005 and 12.5% from 2005-2006.

The price reduction is not likely to begin until next summer, however. Until then, you can expect diesel prices to rise gradually, hitting their high in May.

Head Start Deadline Finally Arrives

After a series of postponements, the final deadline of the 2001 Head Start transportation regulations has finally arrived. As of January 1, no Head Start students can be transported in any vehicle other than a school bus or an MFSAB. We are not yet ready to relax this particular vigil, however, since Congress still has not reached agreement on the Head Start reauthorization bill of 2005. Until that bill is passed, we could still see changes in the transportation requirements.

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